

City Council

200 North Brazil

Los Fresnos, TX 78566

Regular Meeting

<http://citylf.cloudaccess.net/en/>

~ Minutes ~

Tuesday, August 11, 2015

6:00 PM

City Hall

Agenda

1. Call meeting to order
Mayor Narvaez called the meeting to order at 6:01 PM.
2. Invocation and Pledge of Allegiance
Mayor Narvaez gave the invocation and led the audience in the Pledge of Allegiance.

Presentation

Presentation of Key to the City of Los Fresnos to Consul Rodolfo Quilantan.No Action

Mayor Narvaez presented Consul Rodolfo Quilantan from Mexico the key to the City. Mayor Narvaez stated that Consul Quilantan had donated Spanish books to the Ethel Whipple Memorial Library.

Consul Quilantan thanked the Mayor.

made a motion to approve Presentation of Key to the City of Los Fresnos to Consul Rodolfo Quilantan., seconded by the vote was .

Consent Agenda

Approval or rejection of Minutes for the July 14, 2015 meeting.Adopted

Motion was made and seconded to approve Minutes as presented.

Tom Jones made a motion to approve Approval or rejection of Minutes for the July 14, 2015 meeting., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of the Planning and Zoning Commission's recommendation to approve the final plat for Pueblo Nuevo Subdivision.Adopted

Motion was made and seconded to approve the final plat for Pueblo Nuevo Subdivision as approved by the Planning and Zoning Commission.

Tom Jones made a motion to approve Approval or rejection of the Planning and Zoning Commission's recommendation to approve the final plat for Pueblo Nuevo Subdivision., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection to renew the Interlocal Agreement with Cameron County for Operation Stonegarden.Adopted

Motion was made and seconded to approve the renewal of the Operation Stonegarden agreement.

Tom Jones made a motion to approve Approval or rejection to renew the Interlocal Agreement with Cameron County for Operation Stonegarden., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of an Interlocal Agreement between the City of Los Fresnos Police Department and Town of Indian Lake Police Department for communication services.Adopted

Motion was made and seconded to approve the Interlocal Agreement between the Los Fresnos Police Department and the Town of Indian Lake Police Department.

Tom Jones made a motion to approve Approval or rejection of an Interlocal Agreement between the City of Los Fresnos Police Department and Town of Indian Lake Police Department for communication services., seconded by Javier Mendez the vote was [Unanimous].

Approval or rejection of Budget Amendments for fiscal year 2014-2015.Adopted

Motion was made and seconded to approve the budget amendments for fiscal year 2014-2015.

Tom Jones made a motion to approve Approval or rejection of Budget Amendments for fiscal year 2014-2015., seconded by Javier Mendez the vote was [Unanimous].

Visitor Remarks - In order to speak you must sign in prior to the meeting and you will have a limit of 3 minutes to speak.

Mr. Charles Hoskins, Assistant Emergency Management Coordinator for the County, was present and stated that he wanted to introduce himself to the Council and offer the City his services in case of emergency.

Mr. Justin Lang and Ms. Kay Bergin were present and stated that the City had cut down some of his trees that he had told them not to cut down.

Mayor Narvaez stated the City Manager would look into this matter.

Action Items

Consideration and ACTION to accept or reject and or all bids received for the Memorial Park Basketball Court and budget amendment.Adopted

Mr. Milum explained that the Council had approved in prior meeting to bid the project out for a basketball court at Memorial Park. At that time the Community Health Program

Grant agreed to pay \$50,870 toward the project. The increased amount is shown as a revenue of \$21,266 and an expenditure for the same amount on the budget amendment. The project was bid and the low bid is \$73,100. The difference from the bid price and what the Community Health Program has agreed to pay is \$15,999 and is shown as 2 line items on the budget amendment. The amount can be funded with increased sales tax revenue we did not budget and is reflected on the budget amendment for revenue. We have asked if they would be willing to put additional funds toward the project but have not heard back from them. The project must be complete by September 30th.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the low bid of \$73,100 to Battery Warehouse and to approve the budget amendment.

Polo Narvaez made a motion to approve Consideration and ACTION to accept or reject and or all bids received for the Memorial Park Basketball Court and budget amendment., seconded by Yolanda H. Cruz the vote was [Unanimous].

Approval or rejection to approve a Proclamation declaring August 31, 2015 as The University of Texas Rio Grande Valley Day.Adopted

Mr. Milum stated that since UT Brownsville and UT Pan American will become one school it has been renamed to UTRGV. They have requested the City proclaim August 31 as UTRGV day and fly their flag on that day in support of the beginning of the new combined university in the Valley. There are two proclamations one to fly the flag and one that does not mention the flag.

Motion was made and seconded to approve the proclamation proclaiming August 31 as UTRGV in the City of Los Fresnos and to fly their flag.

Swain Real made a motion to approve Approval or rejection to approve a Proclamation declaring August 31, 2015 as The University of Texas Rio Grande Valley Day., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION on the second and final reading of Ordinance 235-GG to delete future use of R-1A Single Family District, to amend Section 23.1 and to amend Section 26.0 (9).Adopted

Mr. Milum explained that this is the second and final reading of Ordinance 235-GG to delete future use of R-1A Single Family District, to amend Section 25.1 and to amend Section 26.0 (9).

The first change is to do away with developing lots with 50 feet in width and 5,000 square feet which is what the zoning calls for in R-1A. Lots already developed or in the

process with the R-1A zoning will be grandfathered. Any new development will follow the zoning of R-1 which calls for a minimum lot width of 60 feet and 6,000 square feet.

The second change is for RLB which is Residential Limited Business to increase from lots 50 feet wide to 60 feet wide.

The last change is requiring garages to be a minimum of 11 feet wide by 24 feet long for a one car garage and 22 feet wide by 24 feet long for a two car garage. Additionally 2 vehicles must fit on the property without having to move a vehicle to meet the requirement of 2 parking spaces.

Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the second and final reading of Ordinance 235-GG.

Tom Jones made a motion to approve Consideration and ACTION on the second and final reading of Ordinance 235-GG to delete future use of R-1A Single Family District, to amend Section 23.1 and to amend Section 26.0 (9)., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to acknowledge Cameron Appraisal District Chief Appraiser's certification of the tax roll for 2015.Adopted

Mr. Milum stated that the net taxable value for 2015 is \$182,788,646, and increase of 8.22%. There is still \$584,176 that is under protest. There were 30 new properties added with a value of \$7,975,045 and increased values on existing properties was \$5,954,508.

Motion was made and seconded to acknowledge Cameron Appraisal District Chief Appraiser's certification of the tax roll for 2015.

Tom Jones made a motion to approve Consideration and ACTION to acknowledge Cameron Appraisal District Chief Appraiser's certification of the tax roll for 2015., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collection rate for tax year 2014.Adopted

Mr. Milum explained that the estimated property tax collection rate is in excess of 100%. This is due to prior year debt collections. The estimated debt collection for 2014 is \$211,432 and additionally we have \$29,183 of excess fund balance in the debt fund for an emergency.

Motion was made and seconded to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collection rate for tax year 2014.

Swain Real made a motion to approve Consideration and ACTION to acknowledge the Finance Director's certification of the estimated ad valorem tax collection rate for the tax year 2015 and the excess debt tax collection rate for tax year 2014., seconded by Gary Minton the vote was [Unanimous].

Consideration and ACTION to acknowledge the calculation of the City's Effective & Rollback Ad Valorem tax rate for tax year 2015 and for fiscal year 2015/2016.Adopted

Mr. Milum explained that the effective ad valorem tax rate would impose the same total taxes as last year if you compare properties taxed in both years. The effective ad valorem tax rate is \$0.688065 per \$100 valuation. This means that to get the same revenue as last year the tax rate would be \$0.688065 per \$100 valuation instead of our actual rate of \$0.715 per \$100 valuation.

The rollback ad valorem tax rate is the highest tax rate the City could have before taxpayers would be able to start rollback procedures. The rollback ad valorem tax rate is \$1.084908 per \$100 valuation.

Mr. Milum answered questions from the Council.

Motion was made and seconded to acknowledge the calculation of the City's Effective & Rollback Ad Valorem tax rate for tax year 2015 and for fiscal year 2015-2016.

Swain Real made a motion to approve Consideration and ACTION to acknowledge the calculation of the City's Effective & Rollback Ad Valorem tax rate for tax year 2015 and for fiscal year 2015/2016., seconded by Yolanda H. Cruz the vote was [Unanimous].

Consideration and ACTION to propose a tax rate for tax year 2015, take a record vote, and set dates for public hearing (if necessary).No Action

Mr. Milum explained that the proposed 2015-2016 tax rate is \$0.715 per \$100 valuation just as it has been for the last 8 years. The effective ad valorem tax rate for 2015-2016 is \$0.688065 per \$100 valuation. The effective ad valorem tax rate would impose the same total taxes as last year if you compare properties taxed in both years. Since we are proposing to leave the tax rate at \$0.715 per \$100 valuation we will have to hold 2 public hearings as we will receive more revenue than last year. The additional amount we will receive is \$99,596 with \$69,203 going towards the increase in debt and \$30,393 for operations.

The vote for the proposed tax rate of \$0.715 per \$100 valuation is as follows:

Mayor Polo Narvaez	yea
Mayor Pro-tem Yolanda H. Cruz	yea
Councilmember Swain Real	yea
Councilmember Javier Mendez	yea
Councilmember Tom Jones	yea
Councilmember Gary Minton	yea

Mayor Narvaez stated that the public hearings will be held on August 27 at 6:00 p.m. in City Hall and on September 8 at 6:00 p.m. in City Hall.

made a motion to approve Consideration and ACTION to propose a tax rate for tax year 2015, take a record vote, and set dates for public hearing (if necessary)., seconded by the vote was .

Consideration and ACTION to approve amendments to Gneral Fund and Water & Sewer budgets.Adopted

Mr. Milum explained that we are getting closer to the end of the 2014-2015 fiscal year and there are a few items to address and there is additional revenue that was not budgeted.

Mr. Milum went over each item that was changed. Mr. Milum answered questions from the Council.

Motion was made and seconded to approve the budget amendments to General Fund and Water & Sewer Fund.

Polo Narvaez made a motion to approve Consideration and ACTION to approve amendments to Gneral Fund and Water & Sewer budgets., seconded by Javier Mendez the vote was [Unanimous].

Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority.No Action

No action was taken.

made a motion to approve Consideration and ACTION to appoint a person to the Los Fresnos Housing Authority., seconded by the vote was .

Update by City Manager

A. Wastewater Plant Expansion B. Nature Park C. Hazard Mitigation Plan D. Certificates of Obligation E. Right-of-Way Clean Up**No Action**

A. Wastewater Plant Expansion - There have been too many other projects going on and has not had time to work on this. We will get moving on it in another month or so.

B. Nature Park - Received a \$400,000 grant from Texas Parks & Wildlife and will be traveling to Austin next week to their meeting.

C. Hazard Mitigation Plan - The Cities still have not met. All the partners are busy working on budgets and off on vacation. We should get started in September.

D. Certificates of Obligation - 1. Evergreen Street and Water Line Loop - Should start this week. There has been adjustments needed on the plans due to incorrect survey points. Those must be correct before we proceed.

2. West Ocean Lift Station & Force Main - The notice to proceed was give on Wednesday, August 5.

E. Arroyo Boulevard & Whipple Road Right-of-Way clean up - We have just about completed the clean up of the right-of-way. It looks really good. The owner of the property near there has been complaining almost daily.

Mr. Milum answered questions from the Council.

made a motion to approve A. Wastewater Plant Expansion B. Nature Park C. Hazard Mitigation Plan D. Certificates of Obligation E. Right-of-Way Clean Up, seconded by the vote was .

Department Head Reports

Finance 1. Monthly 2. Year-to-date**No Action**

Mr. Milum answered questions from the Council.

made a motion to approve Finance 1. Monthly 2. Year-to-date, seconded by the vote was .

Public Works 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits**No Action**

Mr. Milum answered questions from the Council.

made a motion to approve Public Works 1. Water and Wastewater Activity 2. Calls for Service 3. Building Permits, seconded by the vote was .

Police Department 1. Arrests 2. Incidents 3. AccidentsNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Police Department 1. Arrests 2. Incidents 3. Accidents, seconded by the vote was .

Municipal Court 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Municipal Court 1. Monthly Report, seconded by the vote was .

Library 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Library 1. Monthly Report, seconded by the vote was .

Fire Marschall's 1. Monthly ReportNo Action

Mr. Milum answered questions from the Council.

made a motion to approve Fire Marschall's 1. Monthly Report, seconded by the vote was .

Closed Session – Deliberation pursuant to Section 551.072, Title 5 of the Texas Government Code, the Texas Open Meetings Act regarding the following:**Closed Session - Deliberation pursuant to Section 551.071, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding to seek legal advice on extraterritorial jurisdiction issues.No Action**

Mayor Narvaez recessed the meeting at 7:21 pm.

made a motion to approve Closed Session - Deliberation pursuant to Section 551.071, Title 5 of the Texas Government Code, the Texas Open Meetings Act, regarding to seek legal advice on extraterritorial jurisdiction issues., seconded by the vote was .

Open Session – Deliberation and possible action regarding the following:**Open Session - Deliberation and possible action regarding the seeking of legal advice on extraterritorial jurisdiction issues.Adopted**

Mayor Narvaez called the meeting back to order at 8:05 pm.

Motion was made to approve and execute the interlocal agreement with the City of Brownsville on the Extraterritorial Jurisdiction boundaries.

Javier Mendez made a motion to approve Open Session - Deliberation and possible action regarding the seeking of legal advice on extraterritorial jurisdiction issues., seconded by Polo Narvaez the vote was [Unanimous].

Budget Workshop

Budget Workshop for fiscal year 2015/2016.No Action

Mr. Milum went over the Los Fresnos Community Development Corporation budget, Senior Citizen budget, debt service fund budget and stated their was information on salaries in the budget packet. Mr. Milum also explained the General Fund budget.

Mr. Milum answered questions from the Council.

made a motion to approve Budget Workshop for fiscal year 2015/2016., seconded by the vote was .

12. Adjournment

Mayor Narvaez adjourned the meeting at 9:30 p.m.

Presiding Officer of the Council

Recorder